

AGENCY RECEIPT

SECRETARY OF STATE

NOTICE OF RULEMAKING DOCKET OPENING

2018 AUG 24 AM 11:40

1. Agency name: State Mine Inspector

2. The Subchapters, if applicable; the Articles; the Parts, if applicable, and the Sections involved in the rulemaking, listed in numerical order:

FILED

<u>Article, Part, or Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
(in numerical order)	
Article 1	New Article
R11-3-101	New Section
R11-3-102	New Section
R11-3-103	New Section
Article 2	New Article
R11-3-201	New Section
R11-3-202	New Section
R11-3-203	New Section
R11-3-204	New Section
R11-3-205	New Section
R11-3-206	New Section
R11-3-207	New Section
R11-3-208	New Section
R11-3-209	New Section
R11-3-210	New Section
R11-3-211	New Section
R11-3-212	New Section
Article 3	New Article
R11-3-301	New Section
R11-3-302	New Section
Article 4	New Article
R11-3-401	New Section
R11-3-402	New Section
Article 5	New Article
R11-3-501	New Section
R11-3-502	New Section
R11-3-503	New Section
R11-3-504	New Section

R11-3-505	New Section
Article 6	New Article
R11-3-601	New Section
R11-3-602	New Section
R11-3-603	New Section
Article 7	New Article
R11-3-701	New Section
R11-3-702	New Section
R11-3-703	New Section
R11-3-704	New Section
R11-3-705	New Section
Article 8	New Article
R11-3-801	New Section
R11-3-802	New Section
R11-3-803	New Section
R11-3-804	New Section
R11-3-805	New Section
R11-3-806	New Section
R11-3-807	New Section
R11-3-808	New Section
R11-3-809	New Section
R11-3-810	New Section
R11-3-811	New Section
R11-3-812	New Section
R11-3-813	New Section
R11-3-814	New Section
R11-3-815	New Section
R11-3-816	New Section
R11-3-817	New Section
R11-3-818	New Section
R11-3-819	New Section
R11-3-820	New Section
R11-3-821	New Section

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STATE MINE INSPECTOR

SECRETARY OF STATE

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FILED

1. Title and its heading: 11, Mines

Chapter and its heading: 3, State Mine Inspector Aggregate Mined Land Reclamation

Article and its heading: 1, Definitions; 2, General Regulatory Provisions; 3, Exploration Operation Reclamation Plan; 4, Exploration Operation Reclamation Standards; 5, Aggregate Mining Unit Reclamation Plan; 6, Aggregate Mining Unit Reclamation Standards; 7, Revegetation and Soil Standards; and 8, Financial Assurance

Section numbers: R11-3-101 through R11-3-103, R11-3-201 through R11-3-212, R11-3-301 and R11-3-302, R11-3-401 and R11-3-402, R11-3-501 through R11-3-505, R11-3-601 through R11-3-603, R11-3-701 through R11-3-705, and R11-3-801 through R11-3-821. Additional Sections may be made, amended, or repealed as necessary.

2. The subject matter of the proposed rule:

The legislature enacted the Aggregate Mine Land Reclamation Act (A.R.S. Title 27, Chapter 6) in 2005. The Act requires aggregate exploration operations and aggregate mining units to submit reclamation plans and financial assurance mechanisms to the Office of the State Mine Inspector. The Act requires the State Mine Inspector to make rules consistent with the Act for reclamation of surface disturbances at aggregate exploration operations and mining units, financial assurances, and notice and public meetings. This rulemaking makes the required rules.

A Notice of Proposed Rulemaking for the required rules was published at 12 A.A.R. 742, March 10, 2006. The rulemaking process was not completed. However, in the interim, members of the industry have been complying with the proposed rules.

This rulemaking is exempt from Executive Order 2018-02 under paragraph (7)(a) of the Order.

3. A citation to all published notices relating to the proceeding:

None

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Laurie Swartzbaugh

Address: State Mine Inspector

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Web site: <https://asmi.az.gov>

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Inspector will accept comments during business hours at the address listed in item 4.
Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined